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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,321	05/03/2001	Ki Woong Koo	K-272	5894
34610	7590	12/16/2004	EXAMINER	
<b>FLESHNER &amp; KIM, LLP</b> P.O. BOX 221200 CHANTILLY, VA 20153				HOM, SHICK C
		ART UNIT		PAPER NUMBER
				2666

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/847,321	KOO, KI WOONG	
	<b>Examiner</b>	<b>Art Unit</b>	XV <i>[Signature]</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 May 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,16 and 17 is/are rejected.
- 7) Claim(s) 2-15 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Specification***

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Objections***

2. Claims 14-15 are objected to because of the following informalities: In claims 14-15 line 1 delete "A device" and insert "The device" because they're reciting the device of claim 1. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yalowitz et al. (4,797,884) in view of O'Brien (5,646,609).

Regarding claim 16:

Yalowitz et al. disclose the device for selecting a normal circuit in a communication system comprising: a first and second control circuit module means that provides a respective function failure signal when the control circuit module means have a function failure; and a second selecting means that switches states of the two control circuit module means according to the control of a control means and the failure signals, for switching the first control circuit module means in an active state to a standby state after switching the second control circuit module means in the standby state to the active state (see the abstract and col. 1 line 65 to col. 2 line 24 which recite two identical devices, circuit arrangement, or control units having the communication and switching means connected whereby at the occurrence of a failure in the other identical device for causing the device to operate as the active device).

For claim 16, Yalowitz et al. disclose all the subject matter of the claimed invention with the exception of wherein the first and second control circuit module means include a first selecting means that selects one of the two circuit module

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means in a selected pair and wherein a separate control means is used to control the device for selecting a normal circuit as in claim 16.

O'Brien from the same or similar fields of endeavor teach that it is known to provide wherein the first and second control circuit module means include a first selecting means that selects one of the two circuit module means in a selected pair and wherein a separate control means is used to control the device for selecting a normal circuit (see abstract and col. 1 line 54 to col. 2 line 11 which recite the means for selecting one of the plurality of circuit modules coupled to a common bus using the microprocessor and switches). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide the first and second control circuit module means including a first selecting means that selects one of the two circuit module means in a selected pair and wherein a separate control means is used to control the device for selecting a normal circuit as taught by O'Brien in the communications system device of Yalowitz et al. The first selecting means that selects one of the two circuit module means in a selected pair including the separate control means used to control the device for selecting a normal circuit can be implemented by connecting the first selecting means including

the control means of O'Brien into first and second control circuit module means of Yalowitz et al. The motivation for providing the first selecting means that selects one of the two circuit module means in a selected pair including the separate control means used to control the device for selecting a normal circuit as taught by O'Brien in the communication system device of Yalowitz et al. being that it provides more efficiency for the system since the system can increase the number of modules coupled to the bus without increasing the number of conductors for addressing each module and increase in reliability since a different circuit module can be easily selected if the circuit module fails.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yalowitz et al. (4,797,884) in view of O'Brien (5,646,609) as applied to claim 16 above, and further in view of Wiscombe et al. (5,668,417).

Regarding claim 17:

For claim 17, Yalowitz et al. in view of O'Brien disclose the device described in paragraph 4 of this office action.

For claim 17, Yalowitz et al. in view of O'Brien disclose all the subject matter of the claimed invention with the exception of the device further comprising one pair of power

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supply module means that supply power to the module means and provide a power fail signal when a power failure occurs.

Wiscombe et al. from the same or similar fields of endeavor teach that it is known to provide one pair of power supply module means that supply power to the module means and provide a power fail signal when a power failure occurs (see col. 2 lines 42-65 which recite the two redundant power supplies and the signals indicative of the status of the power supplies including the power failure signal).

Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide one pair of power supply module means that supply power to the module means and provide a power fail signal when a power failure occurs as taught by Wiscombe et al. in the communication system device of Yalowitz et al. in view of O'Brien. The pair of power supply module means that supply power to the module means can be implemented by connecting the pair of power supply module means into the power supply of Yalowitz et al. in view of O'Brien. The motivation for providing the pair of power supply module means that supply power to the module means and the power fail signal when a power failure occurs as taught by Wiscombe et al. in the communication system device of Yalowitz et al. in view of O'Brien being that it provides the desirable added

advantage of a redundant power supply system for supplying power to the modules whereby the pair of power supply provide standby power for added reliability.

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yalowitz et al. (4,797,884) and O'Brien (5,646,609) in view of Wiscombe et al. (5,668,417).

Regarding claim 1:

Yalowitz et al. disclose the device for selecting a normal circuit in a communication system comprising: a first and second control circuit module means that provides a respective function failure signal when the control circuit module means have a function failure; and a second selecting means that switches states of the two control circuit module means according to the control of a control means and the failure signals, for switching the first control circuit module means in an active state to a standby state after switching the second control circuit module means in the standby state to the active state (see the abstract and col. 1 line 65 to col. 2 line 24 which recite two identical devices, circuit arrangement, or control units having the communication and switching means connected whereby at the occurrence of a failure in the other identical device for causing the device to operate as the active device).

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For claim 1, Yalowitz et al. disclose all the subject matter of the claimed invention with the exception of wherein the first and second control circuit module means include a first selecting means that selects one of the two circuit module means in a selected pair and wherein a separate control means is used to control the device for selecting a normal circuit and further comprising one pair of power supply module means that supply power to the module means and provide a power fail signal when a power failure occurs.

O'Brien from the same or similar fields of endeavor teach that it is known to provide wherein the first and second control circuit module means include a first selecting means that selects one of the two circuit module means in a selected pair and wherein a separate control means is used to control the device for selecting a normal circuit (see abstract and col. 1 line 54 to col. 2 line 11 which recite the means for selecting one of the plurality of circuit modules coupled to a common bus using the microprocessor and switches). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide the first and second control circuit module means including a first selecting means that selects one of the two circuit module means in a selected pair and wherein a separate control means is used to control the

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device for selecting a normal circuit as taught by O'Brien in the communications system device of Yalowitz et al. The first selecting means that selects one of the two circuit module means in a selected pair including the separate control means used to control the device for selecting a normal circuit can be implemented by connecting the first selecting means including the control means of O'Brien into first and second control circuit module means of Yalowitz et al. The motivation for providing the first selecting means that selects one of the two circuit module means in a selected pair including the separate control means used to control the device for selecting a normal circuit as taught by O'Brien in the communication system device of Yalowitz et al. being that it provides more efficiency for the system since the system can increase the number of modules coupled to the bus without increasing the number of conductors for addressing each module and increase in reliability since a different circuit module can be easily selected if the circuit module fails.

For claim 1, Yalowitz et al. and O'Brien disclose all the subject matter of the claimed invention with the exception of the one pair of power supply module means that supply power to the module means and provide a power fail signal when a power failure occurs.

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Wiscombe et al. from the same or similar fields of endeavor teach that it is known to provide one pair of power supply module means that supply power to the module means and provide a power fail signal when a power failure occurs (see col. 2 lines 42-65 which recite the two redundant power supplies and the signals indicative of the status of the power supplies including the power failure signal).

Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide one pair of power supply module means that supply power to the module means and provide a power fail signal when a power failure occurs as taught by Wiscombe et al. in the communication system device of Yalowitz et al. and O'Brien. The pair of power supply module means that supply power to the module means can be implemented by connecting the pair of power supply module means into the power supply of Yalowitz et al. and O'Brien. The motivation for providing the pair of power supply module means that supply power to the module means and the power fail signal when a power failure occurs as taught by Wiscombe et al. in the communication system device of Yalowitz et al. and O'Brien being that it provides the desirable added advantage of a redundant power supply system for supplying power to the modules whereby

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the pair of power supply provide standby power for added reliability.

***Allowable Subject Matter***

7. Claims 2-13 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

8. Claims 14-15 would be allowable if rewritten to overcome the objection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Higuchi et al. disclose an exclusive control method with each node controlling issue of an exclusive use request to a shared resource, a computer system therefor and a computer system with a circuit for detecting writing of an event flag into a shared main storage.

Jouin et al. disclose digital mobile radio network station with speech signal exchange means and data signal exchange means.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH

  
SHICK C. HOM  
EXAMINER